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January 29, 2018

**VIA EMAIL AND FIRST-CLASS MAIL**

Ryan Lozar, Esq.  
305 Broadway, 10<sup>th</sup> Floor  
New York, New York 10007

Re: Jasmine Bridgeforth, et al. v. City of New York, et al.  
16-CV-273 (WHP)

Dear Mr. Lozar:

In accordance with the Court Order dated December 22, 2017, directing Defendants to provide a glossary of certain NYPD Internal Affairs Bureau ("IAB") terms for which Plaintiffs are seeking clarification, such glossary is set forth herein.<sup>1</sup> However, to the extent that Plaintiffs are seeking a narrative and/or substantive explanation of the process/procedures for investigating certain allegations, such requests are beyond the scope of the December 22, 2017 Order and, as such, Defendants are not responding thereto. Further, Defendants do not waive any previously interposed objections by their responses herein.

**GLOSSARY IN RESPONSE TO PLAINTIFFS' EMAIL<sup>2</sup> DATED JANUARY 10, 2018**

1. Please define the meaning of "FADO." (D213)

<sup>1</sup> The terms set forth herein correspond to Plaintiffs' email dated January 10, 2018.

<sup>2</sup> It appears from the language of the January 10<sup>th</sup> e-mail that counsel refers to "allegations of misconduct" to generally reference any and all allegations made against a member of service. However, IAB determines whether an allegation is to be categorized as Misconduct, Corruption or Outside Guidelines. Misconduct cases have their own separate designation ("M"), as compared to cases designated as Corruption cases ("C") and/or Outside Guideline cases ("OG").

Response: Force, Abuse of Authority, Discourtesy and Offensive Language

2. Please define the meaning of "DRV." (D213):

Response: Department Rule Violation

3. Please define the jurisdiction of "Group 41" and why a particular misconduct allegation would be assigned to that investigative group as opposed to other investigative groups. (D213, D216).

Response: Group 41 is a non-geographically confined investigative group with a focus on OCCB/narcotics related investigations; allegations against members assigned to Detective Bureau commands will be investigated by Group 41.

4. Please define the abbreviation Chief of Dept. Inv. & Rev." and explain when and why a particular misconduct allegation falls within the jurisdiction of that particular investigative unit as opposed to other investigative units. (D214).

Response: Office of the Chief of Department, Investigation Review Section. Furthermore, any inquiry as to why and/or under what circumstances this unit investigates allegations against a member of the service are beyond the scope of the December 22<sup>nd</sup> Order, nevertheless, Plaintiffs are referred to the attached OIG NYPD Report and NYPD Response for responsive information.

5. Please define the classification of an allegation of misconduct as "14-Abuse of Department Regulations," with particular attention given to explanation of the numeric code "14." (D214).

Response: Abuse of Department Regulations is a classification given to describe the circumstances involved in an Outside Guidelines ("OG") case – which are cases involving allegations of minor patrol guide violations. The number 14 has no independent or material value.

6. Please define when and/or under what circumstances an allegation of misconduct is given an IA Log but no Case Number. (D214).

Response: Allegations of Misconduct are always given an "M" case number. Upon information and belief, Plaintiffs' counsel is referring here to an OG case. Under the previous IAB case management system, referred to as IAPro ("Internal Affairs and Professional Standards Units"), OG cases were not assigned a case number by IAB and, thus, did not appear on IAB Resumes. The case number is assigned when the Office of the Chief Department, Investigation Review Section ("OCD IRS") assesses which investigative unit will handle such case. OG cases are listed on the newer IAB Resumes, under the new case management system, which is referred to as ICIS ("Internal Case Management System").

7. Please define the abbreviations "DRV-Fail to Notify IAB" and "DRV-Lost/Stolen PD Item," and provide the departmental rules that those misconduct allegations state a violation of.

Response: Both abbreviations listed above are considered Department Rule Violations. "DRV-Fail to Notify IAB" is defined as a Failure to notify IAB of an event

that requires a notification be made to IAB. "DRV-Lost/Stolen PD Item" indicates that a police officer has lost a piece of department property or has had a piece of department property stolen from him/her.

8. Please define the abbreviation "Invest. Unit -OCCB," and explain when and why a particular misconduct allegation falls within the jurisdiction of that particular investigative unit as opposed to other investigative units. (D215).

Response: Organized Crime Control Bureau Investigation Unit (which is now the NYPD Detective Bureau Investigations Unit). Further, to the extent that Plaintiffs are seeking information concerning the circumstances under which this unit investigates allegations against a member of the service, the request is beyond the scope of the December 22<sup>nd</sup> Order, however, Plaintiffs are referred to the attached OIG NYPD Report and NYPD Response for responsive information.

9. Please define the abbreviation "OG-Outside Guidelines." (D217).

Response: This abbreviation refers to allegations of minor patrol guide violations.

10. Please define the abbreviation "(REC)" as a prefix to an IAB case number.

Response: Records; this abbreviation does not reflect any investigative unit assigned to an investigation, but instead, is selected as a default, e.g., "Closed to File (REC)".

11. Please define the abbreviation "Closed As Pending" as a closing disposition. (D217).

Response: This signifies that IAB has closed the investigation on its end (whether they directly investigated the case or not), and that they have passed it on to OCD IRS for further review. In short, it signifies that a closing was submitted and the case is now under review by OCD IRS.

12. Please define the prefix "C5" to the closing disposition "Closed as Pending." (D217).

Response: The designation "C5" has no independent or material value.

13. Please define the meaning of the sentence "(1) NYPD: 530-Chief of Dept Invest & Rev SE (2) NYPD: 852-Transit Bureau Investigations UN (3) NYPD:538-Organized Crime Control Bur." (D217).

Response: This signifies that OCD IRS assessed the case and sent it to NYPD Transit Bureau Investigations, which then assessed the case and sent to OCCB to investigate.

14. Please define the abbreviation "Serial Number: PA" and explain the significance of the translation, which may be "Police Action." Is the definition of this reference a complaint filed against a NYPD PO? (D219).

Response: "PA" means Police Action. This notation indicates that an officer is being sued.

15. Please define the classification of an allegation of misconduct as "Prisoner-Inj. Prior to Custody" as opposed to Unnecessary Force or other misconduct allegations. (D220).

Response: "Prisoner-Inj. Prior to Custody" signifies that a prisoner was injured prior to being taken into NYPD custody.

16. Please define the classification of a misconduct allegation as "File." (D220).

Response: "File" signifies that no allegation of corruption or misconduct was made against a member of service or, alternatively, that there was not enough information to commence an investigation.

17. Please define the jurisdiction of "Bronx- Boro - IAB" and when and why a particular misconduct allegation would be assigned to that investigative unit as opposed to other investigative units. (D220).

Response: Each Borough has an Investigations Unit ("IU"). At present, the NYPD refers to IAB Boroughs by zone, e.g., the Bronx is Zone 1. Bronx Investigations handles cases that do not meet IAB investigation criteria.

18. Please define "Bribery Arrest by MOS," in particular whether it addresses a misconduct allegation that a member of the NYPD service solicited a bribe. If not, please provide the source of the alleged rule violation and what the misconduct allegation actually alleges. (D220).

Response: "Bribery Arrest by MOS" signifies the event of a police officer making a bribery arrest, and a subsequent notification is sent to IAB. However, this does not mean that a police officer accepted a bribe, and this is not a misconduct or disciplinary allegation. If in fact a police officer accepted a bribe, the allegation would be "Bribe Receiving."

19. Please define the meaning of the notation "Open Allegation." (D221).

Response: An "open allegation" means that an investigation is not yet complete.

20. Please define the classification of a misconduct allegation as "CCRB Liaison Unit - IAB," as opposed to a direct CCRB investigation or a direct IAB investigation. (D221).

Response: CCRB Liaison Units do not conduct investigations. They are an NYPD Unit that works with and assists in CCRB matters.

21. Please define abbreviation "(ASM)" as a prefix to an IAB case number. (D222).

Response: "ASM" signifies the Assessments Unit, which reviews, evaluates and classifies Internal Case Investigation System ("ICIS") logs generated by the IAB command center from the previous 24 hour period. However, they do not conduct investigations.

22. Please define the classification of a misconduct allegation as "LC-Legacy Case." (D222).

Response: "LC-Legacy Case" signifies an ICIS continuation of a case from 2012 or before (the approximate time when IAB switched case management systems from IAPRO to ICIS).

23. Please define the Classification "CC-Civilian Complaint" as opposed to "Outside Guidelines" or "M-Misconduct." (D222).

Response: "CC-Civilian Complaint" signifies a Civilian Complaint Review Board case or investigation. Plaintiffs are also referred to No. 28.

24. Please define the closing disposition "AR-Reassigned." (D222).  
Response: "AR-Reassigned" signifies when an investigator identifies the need to reassign an existing IAB investigation from one IAB group to another IAB group.
25. Please define the closing disposition "T-CCRB Closing." (D222).  
Response: "T" has no independent or material meaning. "CCRB Closing" is the closing disposition given to CCRB cases.
26. Please define the significance of "Info Only" as a misconduct allegation as "Top Allegation." (D222).  
Response: "Info Only" is not an allegation of Misconduct or Corruption. It is, quite literally, "information only." For example, if someone reports positive information to IAB about a police officer, such information would be entered into the system as "information only."
27. Please define the Closing Allegation "9-Unsubstantiated" as opposed to a Closing Allegation "Unsubstantiated" with any other numeric prefix. (D350).  
Response: The above signifies that the allegation was unsubstantiated by the evidence. The number "9" has no independent or material value.
28. Please define the Classification "M-Misconduct" as opposed to "OG-Outside Guidelines" or "CC-Civilian Complaint." (D350).  
Response: "M-Misconduct" signifies a non-criminal violation of Department Regulations. "CC" signifies minor Patrol Guide violations. "CCRB" signifies that such a complaint is made to the CCRB.
29. Please define the meaning of a top rule violation allegation of "Misuse of Time - Theft of Time." (D350).  
Response: "Misuse of Time—Theft of Time" signifies that there has been an allegation made that a police officer used time to benefit himself/herself, whether through overtime or using one's time to do something unrelated to their job assignment.
30. Please define the significance of a finding classification of "Info. and Intelligence." (D350).  
Response: "Info. and Intelligence" is a closing disposition. "Intelligence" refers to something, non-disciplinary in nature, which is worth noting in the event summary. (see "Info Only" above).
31. Please define the jurisdiction of "Group 54" and why a particular misconduct allegation would be assigned to that investigative group as opposed to other investigative groups. (D353).  
Response: "Group 54" is a non-geographically confined, Citywide investigative group that focuses on Force Investigations.

32. Please define the Classification "Additional Information." (D353).

Response: "Additional Information" signifies an additional IAB Log generated for the same allegation.

33. Please define the abbreviation "IU#1D-491." (D416).

Response: "IU" means Investigations Unit (in this instance, it likely refers to the Housing Bureau Investigation Unit). "#1D-491" signifies an IU communication tracking number that was assigned to this allegation. These are numbers that are given and affixed to NYPD documents in order to track the physical document/communication made from one unit to other units. Each unit will give the same document/communication a tracking number unique to that unit.

34. Please define the abbreviation "HBM#61-216-10." (D416). Is this a reference to a complaint filed with the NYPD?

Response: "HBM" means Housing Bureau Manhattan ("R" is most likely a typographical error, but could also mean a sub-unit of the HBM, or the Housing Bureau Manhattan Response Team). "#61-216-10" signifies that a HBM communication tracking number was assigned.

35. Please define the abbreviation "IRS." (D416) (referring to "Date @ IRS" or "IRS Close Info").

Response: "IRS" signifies the Investigation Review Section. "Date @ IRS" signifies the date upon which OCD IRS received the case from IAB and the date upon which it was assigned it to a unit for investigative purposes.

36. Please define the abbreviation "BCATS." (D416).

Response: "BCATS" means Computer Aided Tracking System; the "B" signifies that it is a second generation of the system.

37. Please define the abbreviation "PBMN." (D428).

Response: "PBMN" means Patrol Borough Manhattan North.

38. Please define the jurisdiction of the "HBIU"; when and why a particular misconduct allegation would be assigned to that investigative unit as opposed to other investigative units; and whether it would be so assigned exclusively. (D417).

Response: "HBIU" means the Housing Bureau Investigation Unit. HBIU only handles allegations involving Housing Bureau personnel.

39. Please define the phrase "X-REF 10-42216(F)." Please define "IRS," as in "Not IRS." (D420).

Response: The phrase "X-REF" signifies the prior log number ("10-42216(F)"). "IRS" means the Investigation Review Section.



40. Please define circumstances when a CCRB complaint is referred to IAB, or vice versa. (D420).

Response: A CCRB complaint may be forwarded to IAB when the allegations made to CCRB or discovered by CCRB do not fall within CCRB's jurisdiction, e.g., FADO allegations. IAB may forward allegations to the CCRB when the allegations made to IAB or discovered by IAB fall within the jurisdiction of the CCRB.

41. Please define "OCD" as in "OCD/IRS" or "OCD." (D422, D436).

Response: "OCD/IRS" means the Office of the Chief of Department, Investigation Review Section.

42. Please define "PC" and "M" Communications. (D427).

Response: "PC" signifies a Police Commissioner communication to IAB, e.g., an individual sends correspondence to the Police Commissioner's Office and the office forwards the correspondence to IAB. "M" signifies a Misconduct allegation.

43. Please define what it means when an allegation is "FYI to the field." (D415).

Response: "FYI" means "For Your Information." This is a notification to those in the subject command regarding the event in question.

44. Please define what it means when a misconduct allegation has a disposition of "61# prepared." (D415).

Response: "#61 prepared" signifies that an NYPD complaint report ("61") was prepared in relation to the incident.

45. Please define what a "49" is. (D449).

Response: A "49" or "UF 49" is the name given to interdepartmental memos within the NYPD.

46. Please define the reference to "HBM 61-81/13." (D453).

Response: "HBM 61-81/13" means the Housing Bureau Manhattan, and "61-81/13" is a communication tracking number.

47. Please define "HBM34." (D454).

Response: As it specifically relates to D454, it is unclear what "HBM34" means as this involves handwritten notes, which could have been made by anyone who may have handled this IAB log from the time it was printed by IAB to the time the investigation was closed by Housing PSA 6, or again prior to it being produced in discovery. "HBM" means Housing Bureau Manhattan, and "34" is either a communication tracking number assigned or a case number for Housing Bureau Manhattan.

48. Please define "2235 Recorded." (D454).

Response: "2235" is the extension of the phone line receiving the call made to the command center. "Recorded" signifies that the call was recorded.

49. Please define "NRP." (D455).

Response: "NRP" are the initials of the member of service who took the call at the IAB command center.

50. Please define "Spin-Off Log" and what it means relative to an original log in IAB parlance. (D456).

Response: "Spin-off Log" signifies that the CCRB created a log to address a FADO allegation.

51. Please define "SD ADD OG 11-30054, CC:54." (D456).

Response: "SD" in this instance signifies the initials of a Senior Police Administrative Aide (SPAA) who used to handle Outside Guidelines communications. "ADD OG" signifies the case number of the Outside Guideline case. "CC: 54" means the SPAA copied the IAB Group 54 on the communication.

52. Please define "Condition Noted." (D457).

Response: "Condition Noted" signifies that the allegation was noted. In this specific instance, it means that the allegation was noted on the resume and was subsequently referred to CCRB, as it involved a FADO (force) allegation.

Please contact me with any questions.

Sincerely,

/s/

Elizabeth Bardauskis  
*Assistant Corporation Counsel*